APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,289	07/03/2001	Geoffrey G. Zweig	YOR920010253US1	2216

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EXAMINER
KNAPP, JUSTIN R

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 08/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sh et with th correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _03 July 2001_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-25_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _05 September 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _6_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Papers Submitted

1.   It is hereby acknowledged that the following papers have bee received and placed of

record in the file: Information Disclosure Statement as received 05/20/02; Declaration as

received 01/23/02; Drawings as received 09/05/01.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1, 3-8, 10-12, 14-19, and 21-24 are rejected under 35 U.S.C. 102(e) as being

anticipated by Adler, et al (herein referred to as Adler), US Patent Number 6,342,901.

4.   Referring to method claim 1, apparatus claim 12, and manufacture claim 23, Adler

teaches at least one processor operative to: (i) identify at least one regularly identifiable

expression in the input sequence of data symbols; (ii) identify at least a portion of information

associated with the at least one regularly identifiable expression; and (iii) extract the portion of

information; and memory, operatively coupled to the at least one processor, for storing at least a

portion of results associated with the identifying and extracting operations.

To further explain, Adler teaches that cue words which are "regularly identifiable expressions"

(column 16, lines 10-20 and column 17, lines 40-51) are used to identify portions of information

within a message (such as the person's name or phone number). Pointers are then used to mark

those parts of the message. The parts of the message pointed to can then be extracted and stored

(see Figure 13, elements 1312 through 1332 and column 15, line 63 through column 20, line 59).

5.   Referring to method claim 3 and apparatus claim 14, Adler teaches wherein the at least

one processor is further operative to normalize the input sequence of data symbols prior to

identifying the regularly identifiable expression. Adler teaches that when a document is scanned,

handwritten messages are converted or normalized to a machine-readable format and then stored

in a database. They can then be identified. (see column 13, lines 22-36)

6.   Referring to method claim 4 and apparatus claim 15, Adler teaches wherein the at least

one processor is further operative to identify one or more classes of data symbols in the input

sequence prior to identifying the regularly identifiable expression. A variety of classes such as a

name class or a phone number class are identifiable and stored in a database.

7.   Referring to method claim 5 and apparatus claim 16, Adler teaches wherein the at least

one regularly identifiable expression comprises a characteristic phrase that typically precedes a

particular portion of information. (see column 20, lines 45-56)

8.   Referring to method claim 6 and apparatus claim 17, Adler teaches wherein the at least

one regularly identifiable expression comprises a characteristic phrase that typically follows a

particular portion of information. (see column 20, lines 45-56)

9.   Referring to method claim 7 and apparatus claim 18, Adler teaches wherein the extracted

portion of information is used to take a specified action. Adler teaches a number of actions that

can be performed once the information is extracted. (see column 17, lines 18-31)

10.   Referring to method claim 8 and apparatus claim 19, Adler teaches wherein the extracted

portion of information is at least one of visually and audibly presented to the user. Figure 13,

elements 1326, 1328, and 1332 show that extracted information is playable for the user to listen

to.

11.   Referring to method claim 10 and apparatus claim 21, wherein the input sequence of data

symbols is representative of at least one of text data, transcribed spoken data, deoxyribonucleic

acid sequence data, ribonucleic acid sequence data, amino-acid sequence data, audio sequence

data, and video sequence data. As taught herein above, Adler teaches an input sequence of audio

sequence data.

12.   Referring to method claim 11 and apparatus claim 22, wherein the input sequence of data

symbols is representative of a voice mail message. (see column 18, examples 1, 2, and 3)

13.   Referring to claim 24, Adler teaches an apparatus comprising:

a data capture device for obtaining the input sequence of data symbols (see figure 2, elements

226, 228, 238);

at least one processor, operatively coupled to the data capture device, operative to: (i) identify at

least one regularly identifiable expression in the input sequence of data symbols; (ii) identify at

least a portion of information associated with the at least one regularly identifiable expression;

and (iii) extract the portion of information (as taught supra);

memory, operatively coupled to the at least one processor, for storing at least a portion of results

associated with the identifying and extracting operations (see figure 2, element 214); and

a data output device, operatively coupled to the at least one processor, for presenting the

extracted portion of information to a user (see figure 2, elements 230 and 216).

Claim Rejections - 35 USC § 103

14.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

15.   Claim 2, 9, 13, 20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Adler.

16.   Referring to method claims 2 and 25 and apparatus claim 13, Adler does not explicitly

teach wherein the regularly identifiable expression identifying operation comprises comparing

the input sequence of data symbols to one or more regularly identifiable expressions, previously

stored in the memory, to determine if there is a match between a portion of the input sequence

and at least one of the previously-stored regularly identifiable expressions. However, Adler, as

taught supra, uses cue words to identify portions of a message. It would have been obvious to

one of ordinary skill in the art at the time the invention was made that Adler's cue words would

have to be stored in memory ahead of time and used for comparing incoming data for the

purpose of identifying whether input data is a cue word or not.

17.   Referring to method claim 9 and apparatus claim 20, Adler does not explicitly teach

wherein the regularly identifiable expression identifying operation is performed in accordance

with one or more programs written in one of the flex, lex, and perl programming language.

Adler does not teach what programming languages are used in the system taught. However, it

would have been obvious to one of ordinary skill in the art that identifying operation programs

would be able to be written in a variety of programming languages for the purpose of adding

flexibility to the system.

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Applicant is reminded that in amending in response to a rejection of claims, the

patentable novelty must be clearly shown in view of the state of the art disclosed by the

references cited and the objections made. Applicant must also show how the amendments avoid

such references and objections.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Justin Knapp whose telephone number is (703) 308-6132. The

examiner can normally be reached on Mon - Fri 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Gaffin can be reached on (703) 308-3301. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 746-7239 for regular

communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Justin Knapp
Examiner
Art Unit 2182

jk
July 29, 2003

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100